AMENDMENTS TO THE CLAIMS

1.   (Currently amended) A ~~wide-area fiber optic~~ network failover transition system for a wide area fiber optic network having a dual overlay ring topology within a core and a plurality of ports communicating over a VLAN comprising:

a first switch having a master mode and a standby mode, said first switch running only a layer 2 protocol and configured to provide switching between said ports[,] while in said master mode;

a second switch having a master mode and a standby mode, said second switch running only a layer 2 protocol and configured to provide switching between said ports while in said master mode, wherein said second switch is in said standby mode when said first switch is in said master mode, and said second switch is in said master mode when said first switch is in said standby mode;

wherein said first switch is configured, upon a detection of a network failure, to restart auto-negotiation of said ports, and to transition to said standby mode; and wherein said second switch is configured, upon said detection of a network failure, to transition to said master mode; and

wherein, upon said configuration of said second switch to transition to said master mode, at least one of said ports flushes a layer 2 forwarding database and rebroadcasts for a new path over said wide-area fiber-optic network.

2.   (Original) The network failover transition system of claim 1, wherein said VLAN is part of an Ethernet network.

3.   (Previously amended) The network fail over transition system of claim 2,

wherein said VLAN utilizes a router protocol adaptable to utilizing said first switch and said

second switch, said router protocol further comprising a set of mechanisms to effectuate said

transition of said first switch to standby mode.

4.   (Original) The network fail over transition system of claim 3, wherein said first

and second switches are Layer 2 switches.

5.   (Original) The network fail over transition system of claim 4, wherein said ports

are Layer 3 devices.

6.   (Original) The network failover transition system of claim 1, wherein at least one

of said ports utilizes Address Resolution Protocol.

7.   (Original) The network failover transition system of claim 1, wherein all of said

ports utilize Address Resolution Protocol.

8.   (Original) The network failover transition system of claim 1, wherein said

network failure is detected using ping track.

9.   (Original) The network failover transition system of claim 1, wherein said

network failure is detected using port track.

10.   (Currently amended) A method of failover transitioning a wide-area fiber optic

VLAN having a dual overlay ring topology within a core and with a plurality of ports

comprising:

establishing a first switch having a master mode and a standby mode as a master switch, said first

          switch running only a layer 2 protocol;

configuring said master switch to provide switching between said ports.

establishing a second switch having a master mode and a standby mode as a standby switch, said

second switch running only a layer 2 protocol;

detecting a communication failure on said VLAN;

restarting auto-negotiation of said ports with said master switch;

flushing a layer 2 forwarding database from at least one of said ports and rebroadcasting for a

new path over said wide-area fiber optic network;

transitioning said first switch to standby mode, whereby said first switch becomes said standby

switch; and

transitioning said second switch to master mode, whereby said second switch becomes said

master switch.

11.   (Original) The method of failover transitioning a VLAN of claim 10, wherein said

VLAN is part of an Ethernet Network.

12.   (Previously amended) The method of failover transitioning a VLAN of claim 11,

wherein said VLAN utilizes a router protocol adaptable to utilizing said first switch and said

second switch, said router protocol further comprising a set of mechanisms to effectuate said

transition of said first switch to standby mode.

13.   (Canceled)

14.   (Original) The method of failover transitioning a VLAN of claim 13, wherein said

ports are Layer 3 devices.

15.   (Original) The method of failover transitioning a VLAN of claim 10, wherein at

least one of said ports utilizes Address Resolution Protocol.

16.   (Original) The method of failover transitioning a VLAN of claim 10, wherein all of said ports utilize Address Resolution Protocol.

17.   (Original) The method of failover transitioning a VLAN of claim 10, wherein said detecting step comprises using ping track.

18.   (Original) The method of failover transitioning a VLAN of claim 10, wherein said detecting step comprises using port track.

19.   (Original) The network failover transition system of claim 1, further comprising a third switch having a master mode and a standby mode, said third switch configured to provide switching between a second set of ports while in said master mode, wherein said second switch is in said master mode when said third switch is in said standby mode, and said second switch is in said standby mode when said third switch is in said master mode.

Remarks

Claims 1-12 and 14-19 are pending in this application. Claim 13 has been canceled.

The Examiner has rejected claims 1-19 under 35 U.S.C. §103 as obvious over Extremeware Software User's Guide ("Extremeware") in view of Sistanizadeh. More specifically, the Examiner states:

> ExtremeWare however discloses that ExtremeWare is a full-featured software operating system that is designed to run on the Blackdiamond, Alpine, and Summit families of Gigabit Ethernet switches (page 1-1). In a similar field of endeavor, Sistanizadeh discloses of a regional area network including a number of ring networks and redundant optical fiber ring networks (wide-area fiber optic network, col2 lines 25-40), and further discloses that the switches used, are Summit data switches and Blackdiamond switches from Extreme Networks (col8 lines 11-51). It would have thus been obvious to a person skilled in the art to incorporate the concept of having the network as disclosed by ExtremeWare be a